## **Calhoun School**

433 West End Avenue New York, NY 10024



November 22, 2004

Federal Communications Commission Office of the Secretary 445 12<sup>th</sup> Street, SW Washington, DC 20554

DOCKET FILE COPY ORIGINAL

RE:

CC Docket No. 02-6 Request for Review

Dear Sir or Madam:

I am writing to request for review of Administrator's Decision dated September 24, 2004 for the following:

Billed Entity Number: 10036 Application Number: 369767

FRN(s): 1013536, 1013880, 1014326, 1015854, 1015920, 1016065, 1016194

Funding Year: 2003-2004

SLD stated that "After thorough review.....In your response of September 29, 2004 .....". However, this statement is in direct conflict with the fact that SLD's decision letter was dated September 24, 2004 and we did not provide any responses on September 29, 2004.

However, in 2003, we submitted various information to SLD. Since our application for Telecommunications Services is pretty much the same over the years and for the purpose of easy review by SLD, we submitted a copy of our original RFP with an added column noting the FRN corresponding to each service. At that time, SLD accepted it as a valid RFP and did not advise us that the added column to our original RFP would make our original RFP invalid. SLD should have advised us then, and we would have submitted the original copy without added column. On September 24, 2004, SLD determined that our RFP was invalid because it included the FRN which indicated the RFP was not in place prior to our filing of the Form 471. This determination was incorrect because SLD did not look into the fact that there could be many reasons why FRN was on RFP, but simply concluded that the entire RFP was prepared afterwards.

Nevertheless, we did not receive multiple bids and therefore we did not violate the program rule regarding the competitive bidding process and vendor selection.

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Please contact me at <u>imcmurray@calhoun.org</u> or (212) 497-6509 if you have any questions or need further information.

Sincerely.

ennifer McMurray

Director of Information Technology